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## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

# 806

October 3, 2017

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Pai,

We applaud the Federal Communications Commission (FCC) for releasing a Notice of Inquiry to explore opportunities to reduce unwanted robocalls and robotexts by addressing issues associated with reassigned numbers. We encourage you to proceed with a rulemaking that creates and makes available to callers a comprehensive database of reassigned telephone numbers.

Periodically, consumers receive unwanted robocalls and robotexts because the previous holder, not the current holder, of the phone number provided consent. Not only are these calls and texts to reassigned numbers a nuisance to consumers, but they also create liabilities for calling parties because more than one call or text to a reassigned number may be a violation of the Telephone Consumer Protection Act (TCPA). Many of our constituents complain about receiving these intrusive and unsolicited calls and texts that violate the rights of privacy and control created by the TCPA. We have also heard from hospitals, small businesses, and other stakeholders in our states who exercise care in their efforts to contact their patients, customers, or employees, but who nonetheless could face liability under the TCPA because they are alleged to have called reassigned numbers.

We believe that the FCC can address this pressing issue by making available a reassigned numbers database. As you explore opportunities to promote such a database, we encourage you to consider the following key features:

- **Comprehensiveness** – The reassigned numbers database should comprehensively document all telephone numbers that could be reassigned. Participation by all providers—wireless, wireline, and Voice over Internet Protocol (VoIP) providers and any other relevant carrier partners—is essential to ensuring the database is reliable.
- **Accuracy** – The database should be reliable and up-to-date to provide callers with a reasonable assurance that they are not calling or texting reassigned numbers. Telephone providers should promptly report when one of their telephone numbers has been

relinquished by the previous user, and the database should be updated not less frequently than once a day.

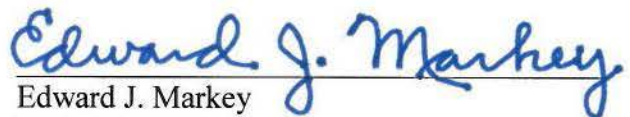
- Accessibility – All callers, including small and medium-sized businesses, should have easy access to the database to confirm the currency of numbers.
- Security – The database should protect and minimize the collection of consumers' proprietary network information.
- Efficiency – The FCC should actively monitor and evaluate the comprehensiveness, accuracy, accessibility, and security of the reassigned numbers database and make appropriate reforms and modifications when necessary. Further, the FCC should continue to protect consumers with reassigned numbers from unwanted calls and texts, including from callers using the reassigned numbers database.

Thank you for your attention to this important matter. We urge the Commission to use its statutory authority to provide consumers and businesses the much-needed relief they deserve.

Sincerely,



John Thune  
Chairman



Edward J. Markey  
United States Senator

Cc: The Honorable Bill Nelson  
Ranking Member





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

March 23, 2018

The Honorable John Thune  
Chairman  
Committee on Commerce, Science, and Transportation  
United States Senate  
254 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chairman Thune:

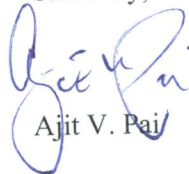
Thank you for your letter regarding the Commission's efforts to reduce unwanted robocalls to consumers with reassigned numbers and your encouragement to move forward with a rulemaking that creates a comprehensive reassigned numbers database.

I agree that this is a pressing issue of concern to both consumers and businesses. That's why, as part of our multiple-front battle against unwanted calls, the Commission today adopted a *Second Further Notice of Proposed Rulemaking* that proposes to establish a comprehensive reassigned numbers database. More specifically, the *Second Further Notice* proposes to ensure that one or more databases are available to provide callers with the comprehensive and timely information they need to discover number reassignments before making a call. Making such a database available to callers will benefit consumers by reducing unwanted calls intended for another consumer while helping callers avoid the costs of calling the wrong consumer, including potential violations of the Telephone Consumer Protection Act. I agree that a reassigned numbers database should be comprehensive, accurate, accessible, secure, and efficient.

The *Second Further Notice* seeks comment on the specific information that callers need from a reassigned numbers database and the best way to make that information available to callers. In addition, it seeks comment on whether and how the Commission should adopt a safe harbor for callers that choose to use the database.

I appreciate your interest in this matter, and I look forward to working with you to address this significant and longstanding problem. Please let me know if I can be of any further assistance.

Sincerely,



Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

March 23, 2018

The Honorable Edward J. Markey  
United States Senate  
255 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter regarding the Commission's efforts to reduce unwanted robocalls to consumers with reassigned numbers and your encouragement to move forward with a rulemaking that creates a comprehensive reassigned numbers database.

I agree that this is a pressing issue of concern to both consumers and businesses. That's why, as part of our multiple-front battle against unwanted calls, the Commission today adopted a *Second Further Notice of Proposed Rulemaking* that proposes to establish a comprehensive reassigned numbers database. More specifically, the *Second Further Notice* proposes to ensure that one or more databases are available to provide callers with the comprehensive and timely information they need to discover number reassignments before making a call. Making such a database available to callers will benefit consumers by reducing unwanted calls intended for another consumer while helping callers avoid the costs of calling the wrong consumer, including potential violations of the Telephone Consumer Protection Act. I agree that a reassigned numbers database should be comprehensive, accurate, accessible, secure, and efficient.

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I appreciate your interest in this matter, and I look forward to working with you to address this significant and longstanding problem. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, which appears to read "Ajit V. Rai".

Ajit V. Rai